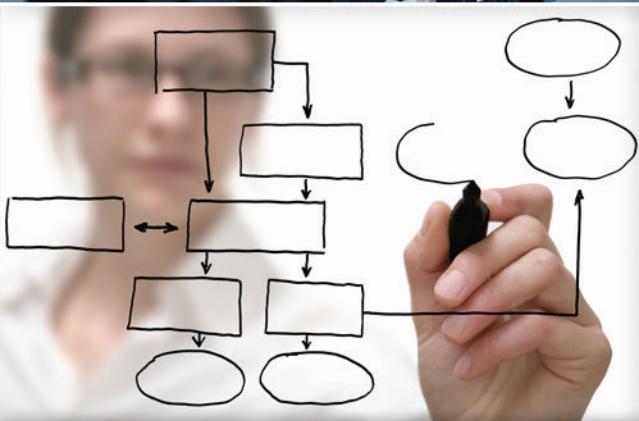


TMA PRIVACY AND CIVIL LIBERTIES OFFICE

# 2012 HEALTH INFORMATION PRIVACY & SECURITY TRAINING



## Records Management

**THE POWER OF TEAM WORK**

Committed to Protecting Beneficiary Data

# Records Management Purpose

The purpose of this presentation is to illustrate how an understanding of federal records management provides a solid foundation for data protection and describe how Electronic Records Management (ERM) will increase the Federal Government's efficiency and reliability. This presentation will also exemplify the role that each TRICARE Management Activity (TMA) employee and contractor plays in the preservation and protection of federal records.



# Records Management Objectives

- Upon completion of this presentation, you should be able to:
  - Differentiate paper and electronic records from non-records
  - Identify the integral components of records management
  - Recognize the benefits and drawbacks of electronic records
  - Identify and apply federal records management regulations
  - Describe TMA's electronic records initiatives
  - Explain the impact of record freezes



# Records Management

- Supports the creation, maintenance and use, and disposition, or the life cycle of records in order to document federal policies, operations, and transactions appropriately and economically (44 United States Code [USC] 2901)
- Ensures federal compliance and accountability
- Enhances information assurance
- Promotes information sharing
- Provides organizational continuity and consistency



# Records Management

# Federal Responsibilities

- Follow records management laws and regulations, including:
  - Federal Records Act (USC Chapters 21, 29, 31, 33 of Title 44)
  - Paperwork Reduction Act (44 USC 35)
  - Code of Federal Regulations (CFR) (36 CFR Chapter 12)
  - Administrative Instruction No.15 (AI-15)
- Maintain an AI-15 compliant program for active (currently used) records and inactive (no longer used) records
- Establish safeguards against unauthorized removal or destruction of records



# What is a Record?

All books, papers, maps, photographs, electronic, or other materials made or received by a United States agency that document the organization, functions, policies, decisions, procedures, operations, or other activities of the Federal Government (44 USC 3301).



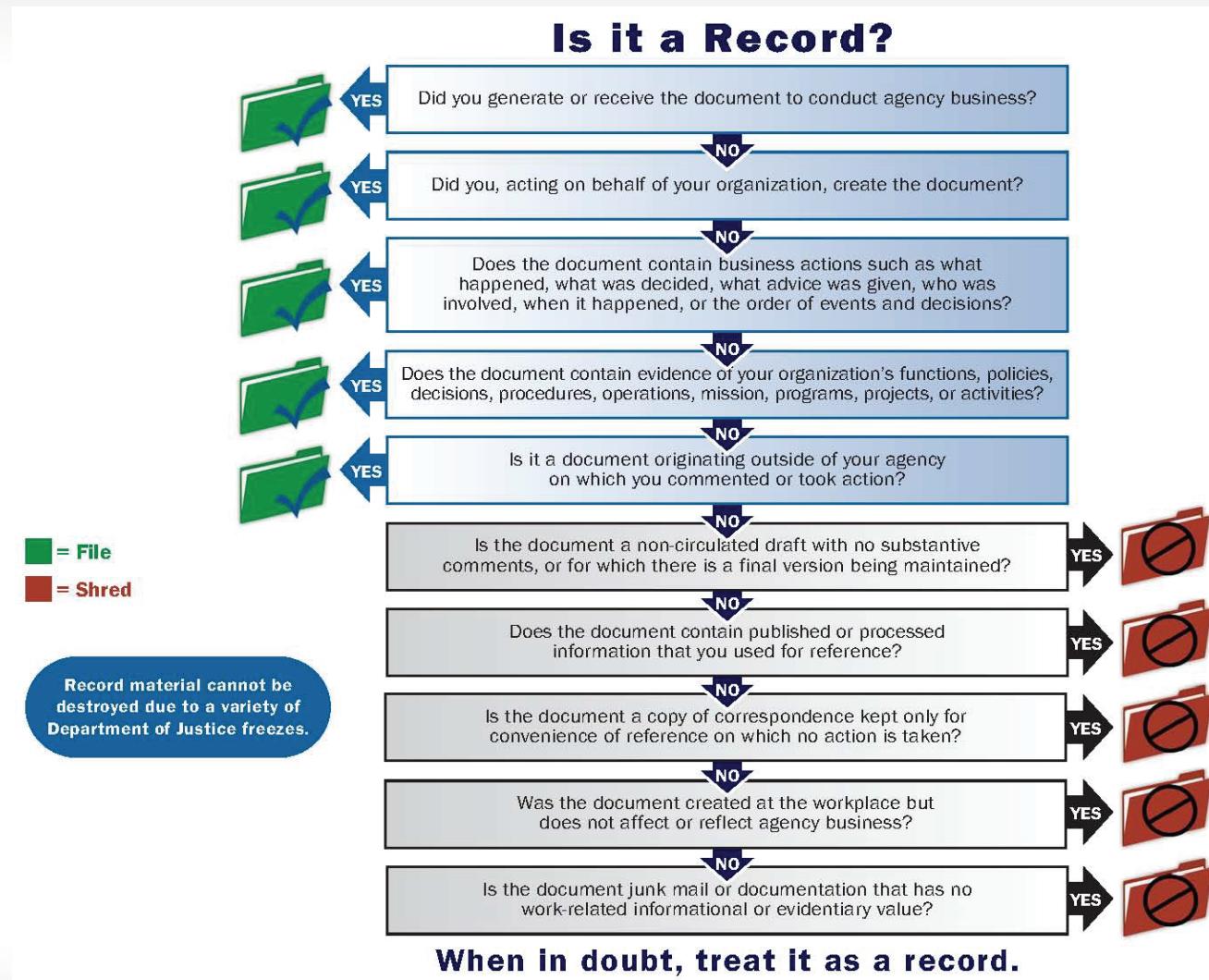
# What is a Non-Record?

- Material that does not meet the statutory definition of records, including:
  - Library and museum materials
  - Personal papers
  - Routing slips, transmittal sheets, blank forms, and envelopes
  - Catalogs, trade journals, and publications
  - Reference copies
- Numerous copies of a single document may all have record status if they each serve a different purpose



# Records Management

# Records Decision Tree



# What is an Electronic Record?

- Electronic records include the following basic components:
  - Data
  - Metadata
  - Documentation
- Examples of electronic records:
  - Video, sound, and image files
  - Compound or linked documents
  - Web-based documents



# What is an E-mail Record?

A message that is created or received on an e-mail system, including envelope data, notes, and attachments and was made or received by an agency of the United States government as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the government (36 CFR 1234.2).



# Records Management

## DoD E-mail Policy

- DoD Directive 5015.2-STD, Approved ERM software, “DoD Records Management Program”, March 6, 2000
  - Save record e-mail to an approved record keeping system if not printed and filed
- Policy Memorandum, “Electronic Mail Records and Electronic Mail Retention Policies for DoD”, May 22, 2005
  - DoD records management and e-mail systems management communities must cooperate to ensure proper disposition of e-mail records



# Records Management

# DoD E-mail Policy

- Documents of short-term interest or value
  - Delete all non-record e-mail within 180 days
- Print and File Policy
  - Print record e-mail messages and file them appropriately



# What is Records Freeze?

- Records freeze: The suspension or extension of the disposition of temporary records that cannot be destroyed on schedule because of special circumstances
- These special circumstances include:
  - Litigation
  - Updating a records control schedule
  - Re-processing or re-engineering
  - Disasters
- As of July 2012, the Pharmacy Freeze (#13) no longer applies to TMA and the scope of the Tobacco Litigation (#1) has been narrowed



# Records Management

## E-mail File Station

- Manages e-mail and other electronic records through existing platforms and applications
  - Declares and files e-mail records
  - Located within the public folder
  - Controls access to e-mail
  - Separates sensitive government e-mail
  - Governed by AI-15



# Records Management

# E-mail File Station

**Folder List**

All Folders

- + TMA
- TMA Official E-Mail File Station
  - + Beneficiary and Provider Services (B&PS)
  - + Defense Health Services Systems
  - Privacy Office – Aurora
    - 000-E-mail File Box
    - + 101-15 Office Services and Supply Files
    - + 102-05 Policy and Precedent Files
    - + 103-04 Agreement Files
    - + 103-08.1 Reference Files
    - + 103-08.4 Reference Paper Files
    - + 201-07.1 Management Improvement Project Files
    - + 201-07.2.b Management Improvement Files
    - + 201-17 Organizaiton Charter Files
    - + 202-11 Temporary Duty Travel Files
    - + 202-46.1 Duplicate Documentation & Personnel Files Maintained Outside Personnel Offices
    - + 202-48.2.a Training Records
    - + 202-48.3 Training Records - Employee Training
    - + 203-01 Records Management Survey Files - Records Review
    - + 203-02 Records Management Survey Files - Custodian
    - + 203-08 Records Disposition Standard Exemption Files
    - + 704-02.1 Freedom of Information Act - Requests
    - + 704-02.7 Freedom of Information Act - General
    - + 704-03.1.a Privacy Act - Requests
    - + 704-03.7 Privacy Act - General
  - + TRICARE Rules
  - + TRO North
  - TRO South



# Records Management

## ERM

- Benefits of ERM:
  - Reduces risk of data compromise
  - Reduces legal exposure and vulnerability
  - Promotes organizational continuity
  - Secures access to information



# Records Management

# Cloud Computing

- Assistant Secretary of Defense (Health Affairs) (ASD(HA)) Memorandum, Military Health System (MHS) Cloud First Adoption Directive and Policy Guidance, May 22, 2012
  - All current and/or planned efforts related to the planning, architecture adoption, acquisition, or operation of cloud computing technologies are on hold
- Policy Memo restricting DoD sensitive information in the cloud is currently being staffed by TMA Office of Chief Information Officer/Information Assurance
- National Archives and Records Administration (NARA) has identified several records management challenges with cloud computing environments



# Records Management System Inventories

- Data contained in information technology systems are federal records subject to AI-15
  - A record's retention period, or how long a record must be retained, depends on different regulations, business needs, and statutes
  - Records, or data in systems, with no defined retention period are unscheduled records
  - Unscheduled records require scheduling via NARA process: inventory, scheduling, and approval



# Records Management

## TRIP/eFRC

- Temporary Records and Information Portal (TRIP) / electronic Federal Record Center (eFRC) is a collaboratively developed effort operated by TMA and NARA
  - TRIP is a DoD 5015.2-STD compliant web application that provides the complete records management life cycle of temporary inactive electronic federal records
  - TRIP has the capability to store and preserve records from various TMA legacy systems, contractor-based systems, records born digitally, and scanned paper records
  - TRIP/eFRC has gone live as of July 2012 and is currently accepting data transfers from TMA Purchased Care Providers



# Records Management TMA Privacy and Civil Liberties Office Web Site



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## TRICARE Management Activity A component of the Military Health System

TMA Home > Clinical Operations and Patient Care > TMA Privacy Office

<a href="#">Privacy Office Home</a>	<b>TMA Privacy and Civil Liberties Office</b>	<a href="#">In the Spotlight</a>
<a href="#">HIPAA Privacy &amp; Security</a>		<a href="#">New Policies</a>
<a href="#">Privacy Act</a>		<a href="#">Contract Language</a>
<a href="#">E-Government/Privacy Impact Assessment (PIA)</a>		<a href="#">E-News</a>
<a href="#">Freedom of Information Act (FOIA)</a>	<b>Mission Statement</b> <p>Protect and support individual privacy and information through developing and maintaining compliance programs in accordance with federal laws, DoD regulations, and other applicable guidance.</p>	<a href="#">Contact Us</a>
<a href="#">Records Management</a>	<b>What We Do</b> <p>The TRICARE Management Activity (TMA) Privacy and Civil Liberties Office (Privacy Office) oversees the protection of personally identifiable information (PII)/protected health information (PHI) within the Military Health System (MHS), one of the largest integrated health care delivery systems in the United States, serving over 9.5 million eligible beneficiaries.</p> <p>The Privacy Office supports MHS compliance with federal privacy and security laws, and Department of Defense (DoD) regulations and guidelines. Each functional area within the Privacy Office facilitates this mission by:</p> <ul style="list-style-type: none"><li>Ensuring that DoD Health Affairs (HA) and TMA policies and business practices comply with federal laws, DoD regulations, and guidelines governing the privacy and security of PII/PHI, and in the development and revision of TMA privacy-related plans, policies, and procedures</li><li>Managing and evaluating potential risks and threats to the privacy and security of MHS health data by performing critical reviews through:<ul style="list-style-type: none"><li>Evaluation of privacy and security safeguards, including conducting annual Health Insurance Portability and Accountability Act of 1996 (HIPAA) Security Risk Assessments</li><li>Performance of Internal Privacy Office Compliance Assessments</li><li>Establishment of organizational performance metrics to identify and measure potential compliance risks</li></ul></li><li>Engaging TMA stakeholders, including employees and contractors, by developing and delivering education and awareness materials and ongoing workforce privacy and HIPAA security training</li></ul> <p>The Privacy Office also provides dedicated assistance to the TMA Deputy Director and the Office of the Assistant Secretary of Defense (OASD) in responding to inquiries from Congress, the Office of Management and Budget (OMB), the Departments of Health and Human Services (HHS), and Veterans Affairs (VA), as well as other federal agencies and DoD components, on matters related to privacy and security.</p>	
<a href="#">Civil Liberties</a>		
<a href="#">Breach Response</a>		
<a href="#">Data Sharing Agreements (DSAs)</a>		
<a href="#">Privacy Investment Review</a>		
<a href="#">Training &amp; Awareness</a>		
<a href="#">Assist Visits</a>		
<a href="#">Contact Us</a>		



# Records Management Summary

- You should now be able to:
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  - Recognize the benefits and drawbacks of electronic records
  - Identify and apply federal records management regulations
  - Describe TMA's electronic records initiatives
  - Explain the impact of record freezes



# Records Management Resources

- Records Management (44 U.S.C. Chapter 29 & 33)
- Electronic Records Management (36 CFR Part 1234)
- OSD Records Management Program – Records Disposition Schedules, Administrative Instruction 15, Vol. II
- DoD Directive 5015.2-STD, "DoD Records Management Program", March 6, 2000
- Policy Memorandum, "Electronic Mail Records and Electronic Mail Retention Policies for DoD", May 22, 2005
- ASD(HA) Memorandum, MHS Cloud First Adoption Directive and Policy Guidance, May 22, 2012



# Records Management Resources

- To subscribe to the TMA Privacy and Civil Liberties Office E-News, go to: <http://www.tricare.mil/tma/privacy/mailinglist.aspx>

